



January 24, 2002

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## HOUSE BILL No. 1180

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DIGEST OF HB 1180 (Updated January 23, 2002 4:24 PM - DI 105)

**Citations Affected:** IC 16-18; IC 16-19.

**Synopsis:** Rape crisis centers. Establishes qualifications for sexual assault victim advocates.

**Effective:** July 1, 2002.

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**Lawson L, Ulmer**

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January 9, 2002, read first time and referred to Committee on Courts and Criminal Code.  
January 23, 2002, amended, reported — Do Pass.

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HB 1180—LS 6921/DI 14+



January 24, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1180

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-18-2-328.2 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2002]: **Sec. 328.2. "Sexual assault", for**  
4 **purposes of IC 16-19-13, has the meaning set forth in**  
5 **IC 16-19-13-1.3.**

6 SECTION 2. IC 16-18-2-328.3 IS ADDED TO THE INDIANA  
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2002]: **Sec. 328.3. "Sexual assault victim**  
9 **advocate", for purposes of IC 16-19-13, has the meaning set forth**  
10 **in IC 16-19-13-1.4.**

11 SECTION 3. IC 16-19-13-0.5 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2002]: **Sec. 0.5. As used in this chapter,**  
14 **"Indiana coalition against sexual assault" means a nonprofit**  
15 **corporation formed in Indiana whose primary purpose is pursuing**  
16 **the eradication of sexual violence in Indiana.**

17 SECTION 4. IC 16-19-13-1.3 IS ADDED TO THE INDIANA

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CODE AS A NEW SECTION TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2002]: **Sec. 1.3. As used in this chapter,**  
**"sexual assault" means conduct that constitutes:**

- (1) a misdemeanor or felony under IC 35-42-4 or IC 35-46-1-3;
- (2) a misdemeanor or felony that is substantially similar to an offense described in subdivision (1) under the laws of the United States, a state, or an Indian tribe; or
- (3) an attempt to engage in conduct described in subdivision (1) or (2);

**regardless of the age of the person who engages in the conduct or whether the conduct results in criminal prosecution.**

SECTION 5. IC 16-19-13-1.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 1.4. As used in this chapter,**  
**"sexual assault victim advocate" means an individual who provides crisis intervention or supportive services to sexual assault victims and who is certified by the Indiana coalition against sexual assault.**

SECTION 6. IC 16-19-13-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 7. (a) Qualification as a sexual assault victim advocate by the Indiana coalition against sexual assault for an individual who is not a social worker licensed under IC 25-23.6-5 must include the following requirements:**

- (1) For initial qualification:
  - (A) forty (40) hours of initial education, including:
    - (i) social myths and perceptions concerning sexual violence;
    - (ii) medical advocacy;
    - (iii) medical examinations for survivors of sexual violence and evidence collection;
    - (iv) legal advocacy;
    - (v) victims' rights;
    - (vi) the criminal justice process;
    - (vii) sex crime statutes;
    - (viii) maintaining boundaries with survivors;
    - (ix) services, referrals, and resources;
    - (x) assisting support services;
    - (xi) dynamics of sexual assault and rape;
    - (xii) initial crisis phase and response;
    - (xiii) crisis counseling services;
    - (xiv) healing process for survivors;



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- 1 (xv) disorders and red flags; and  
 2 (xvi) post-traumatic rape disorder syndrome; and  
 3 (B) payment of a fee of thirty-five dollars (\$35) to the  
 4 Indiana coalition against sexual assault.  
 5 (2) For renewal of qualification every two (2) years:  
 6 (A) ten (10) hours of continuing education, including:  
 7 (i) updates in the sex crime statutes;  
 8 (ii) updates in medical examinations for survivors of  
 9 sexual assault and evidence collection; and  
 10 (iii) refresher in dynamics of sexual assault and rape;  
 11 and  
 12 (B) payment of a renewal fee of twenty dollars (\$20) to the  
 13 Indiana coalition against sexual assault.  
 14 (b) Qualification as a sexual assault victim advocate by the  
 15 Indiana coalition against sexual assault for an individual who is a  
 16 social worker licensed under IC 25-23.6-5 must include the  
 17 following requirements:  
 18 (1) For initial qualification:  
 19 (A) twenty (20) hours of initial education, including:  
 20 (i) social myths and perceptions concerning sexual  
 21 violence;  
 22 (ii) medical advocacy;  
 23 (iii) medical examinations for survivors of sexual  
 24 violence and evidence collection;  
 25 (iv) legal advocacy;  
 26 (v) victims' rights;  
 27 (vi) the criminal justice process;  
 28 (vii) sex crime statutes;  
 29 (viii) maintaining boundaries with survivors;  
 30 (ix) services, referrals, and resources; and  
 31 (x) assisting support services; and  
 32 (B) payment of a fee of thirty-five dollars (\$35) to the  
 33 Indiana coalition against sexual assault.  
 34 (2) For renewal of qualification every two (2) years:  
 35 (A) ten (10) hours of continuing education, including:  
 36 (i) updates in the sex crime statutes;  
 37 (ii) updates in medical examinations for survivors of  
 38 sexual assault and evidence collection; and  
 39 (iii) refresher in dynamics of sexual assault and rape;  
 40 and  
 41 (B) payment of a renewal fee of twenty dollars (\$20) to the  
 42 Indiana coalition against sexual assault.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1180, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 4.

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 2.

Page 2, line 30, delete "A rape crisis center may not receive money".

Page 2, delete lines 31 through 34.

Page 2, line 35, delete "(b) Certification" and insert "**Qualification**".

Page 2, run in lines 30 through 35.

Page 2, line 39, delete "certification:" and insert "**qualification:**".

Page 3, line 19, delete "certification" and insert "**qualification**".

Page 3, line 28, delete "(c) Certification" and insert "**(b) Qualification**".

Page 3, line 32, delete "certification:" and insert "**qualification:**".

Page 4, line 6, delete "certification" and insert "**qualification**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1180 as introduced.)

DVORAK, Chair

Committee Vote: yeas 10, nays 0.

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